

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 18190 of 2004

Between:

S.Rajaiah, S/o.Yellaiah, Ganesh Nagar, Karimnagar District.

... PETITIONER

AND

- 1 APSRTC, rep.by its Vice-Chairman & M.D., Musheerabad, Hyderabad.
- 2 The Depot Manager,APSRTC, Karimnagar-I Depot, Karimnagar Dist.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or directions more in the nature of writ of mandamus directing the respondents to restore the deferred annual increments for the years 1994 and 1995 with all consequential benefits including fixation of pay and arrears

Counsel for the Petitioner: MR.P.GOVINDA RAJULU

Counsel for the Respondents: SMT.P.RAJANI REDDY SC FOR APSRTC

The Court made the following order:

ORDER:

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The petitioner is working as a Conductor in the respondent corporation. He was imposed a punishment of removal from service through the proceedings dated 19.05.1993. In the appeal dated 29.05.1993 preferred by the petitioner before the Divisional Manager the punishment was modified through order dated 26.07.1993 by setting aside the order of removal from service. He was directed to be reinstated into service with immediate effect by treating the out of service period as not on duty and imposing a punishment of reduction of two incremental stages for a period of two years which shall have effect on future increments.

The petitioner was reinstated into service by implementing the order of the Appellate Authority dated 26.07.1993. The grievance of the petitioner is that though the punishment of reduction of two increments was effected, his future increments accrued in the subsequent years are not being released. Therefore, the petitioner submitted a representation on 09.11.2000 and no orders have been passed by the respondent corporation on the said representation till now. He, therefore,

approached this Court seeking a direction to the respondent to pass appropriate orders on his representation.

Having regard to the circumstances mentioned above, the second respondent is directed to pass appropriate orders on the representation of the petitioner dated 09.11.2000 according to the existing rules regarding the release of the increments accrued to the period subsequent to the reinstatement after reduction of two annual increments. If the representation of the petitioner is not available the petitioner is directed to submit a fresh representation and the second respondent shall pass appropriate orders on the said representation within two months from the date of receipt of this order.

The writ petition is accordingly disposed of. No order as to costs.

Dr. G. YETHIRAJULU, J

October 7, 2004

Dsk

To

- 1 The Vice-Chairman & M.D., APSRTC, Musheerabad, Hyderabad.
- 2 The Depot Manager, APSRTC, Karimnagar-I Depot, Karimnagar Dist.
- 3 Two CD Copies.